



PLACER, County Recorder
 RYAN RONCO
 DOC- 2022-0042163-00

OFFICIAL BUSINESS
 Document entitled to free recording
 Government Code Section 27383

RECORDING REQUESTED BY
 AND WHEN RECORDED MAIL TO:

City Clerk
 City of Roseville
 311 Vernon Street
 Roseville, CA 95678

WEDNESDAY, MAY 18, 2022 08:17 AM
 MIC \$0.00 | AUT \$0.00 | SBS \$0.00
 ERD \$0.00 | SB2 \$0.00 | * \$0.00
 ADD \$0.00

Ttl Pd \$0.00 Rcpt # 03160048
 CLK6BFSJ93/RM/1-12

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

**FIRST AMENDMENT OF DEVELOPMENT AGREEMENT
 BY AND BETWEEN
 THE CITY OF ROSEVILLE AND SIERRA VISTA COMMUNITIES, LLC
 RELATIVE TO THE SIERRA VISTA SPECIFIC PLAN**

This First Amendment of Development Agreement is entered into this 6th day of April, 2022, by and between the CITY OF ROSEVILLE, a municipal corporation ("City"), and SIERRA VISTA COMMUNITIES, LLC, a California limited liability company ("SVC") pursuant to Sections 65864 through 65869.5 of the Government Code of California.

RECITALS

A. Baseline P&R, LLC ("Baseline") and City entered into a Development Agreement (the "Development Agreement") which was approved by the City Council of City on May 19, 2010, and recorded on June 18, 2010, in the Official Records of Placer County as Document No. 2010-0045892-00.

B. Baseline and City entered into the Development Agreement relative to development within a portion of the Sierra Vista Specific Plan Area, as such is more precisely defined in Exhibit "A" and depicted in Exhibit "B" of the Development Agreement (the "Property"). Except as otherwise defined herein, all capitalized terms used herein shall have the meanings ascribed thereto in the Development Agreement.

C. Baseline assigned a portion of its interest in the Development Agreement to SVC pursuant to that certain "Assignment and Assumption Agreement of the Development Agreement By and Between the City of Roseville and Baseline P&R, LLC Relative to the Sierra Vista Specific Plan (Baseline P&R)" dated as of September 4, 2018, and recorded September 4, 2018, as Document No. 2018-0063961-00, in the Official Records of Placer County, California.

D. This First Amendment to the Development Agreement (the “First Amendment”) affects certain portions of the Property owned by SVC (the “First Amendment Property”) and is more precisely defined in Exhibit “A” and depicted in Exhibit “B” attached hereto. SVC and City intend for this First Amendment to eliminate SVC’s obligation to reserve thirty-one (31) units as detached and/or attached single-family residential units affordable to middle-income purchasers within KT-20 and replace the same with an obligation to reserve an additional thirty-one (31) units for rental to very low and low income households within KT-30 as further set forth below.

E. This First Amendment is authorized by Section 1.4 of the Development Agreement.

NOW THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. AMENDMENT OF DEVELOPMENT AGREEMENT. The following sections and exhibits of the Development Agreement are hereby amended as follows:

a. REVISED SECTION 2.2. The land use designations, approximate acreages, and unit counts in Section 2.2 of the Development Agreement (“Vested Entitlements”) for the First Amendment Property for “High Density Residential” are hereby revised as follows:

“High Density Residential 171 units on 7.5 Net Acres”

b. DELETED SECTION 2.6.1. Section 2.6.1 of the Development Agreement for the First Amendment Property is hereby deleted.

c. REVISED SECTION 2.6.2.1. Section 2.6.2.1 of the Development Agreement for the First Amendment Property is hereby amended and revised in its entirety to read as follows:

“2.6.2.1 Affordable Obligation. Landowner agrees that one hundred fifty-five (155) affordable rental units will be reserved within the Property, including seventy-seven (77) units for rental to very low income households and seventy-eight (78) units for rental to low income households as follows:

Parcel	Total Units In Parcel	Total Affordable Unit Allocation	Very Low Income Units	Low Income Rental Units
KT-30	171	155	77	78

- d. REVISED EXHIBITS. The following exhibits attached to the Development Agreement are proposed to be deleted and replaced by new exhibits attached to this First Amendment as follows:

Exhibit “F” --- “Affordable Housing Sites”, attached to this First Amendment as Exhibit “C”, is added to the list of exhibits and replaces the existing Exhibit “F” for the First Amendment Property.

2. CONSISTENCY WITH GENERAL PLAN. The City Council has found and determined that this First Amendment is consistent with the General Plan and the Sierra Vista Specific Plan.

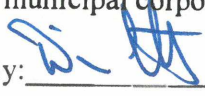
AMENDMENT LIMITED TO FIRST AMENDMENT PROPERTY. This First Amendment is limited to and applies only to development of the First Amendment Property and does not affect or apply in any manner with respect to the development of any other property within the Sierra Vista Specific Plan Area, including without limitation, any other portion of the Property.

4. AMENDMENT. This First Amendment amends, but does not replace or supersede, the Development Agreement, except as specified herein. As amended hereby with respect to the First Amendment Property, the Development Agreement remains in full force and effect.
5. FORM OF AMENDMENT. This First Amendment is executed in two duplicate originals, each of which is deemed to be an original.

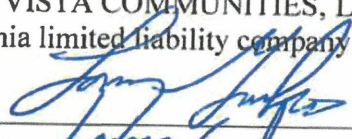
[Remainder of Page Intentionally Left Blank – Signature Blocks on Following Page]

IN WITNESS WHEREOF, the City of Roseville, a municipal corporation, has authorized the execution of this First Amendment in duplicate by its City Manager and attested to by its City Clerk under the authority of Ordinance No. 6465, adopted by the Council of the City of Roseville on the 6th day of April, 2022.

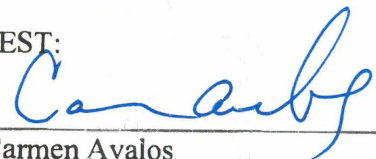
CITY OF ROSEVILLE,
a municipal corporation

By: 
Dion Louthan
Assistant City Manager


SIERRA VISTA COMMUNITIES, LLC,
a California limited liability company

By: 
Name: Larry Avalos
Its: WA

ATTEST:

By: 
Carmen Avalos
City Clerk

APPROVED AS TO FORM;


By: 
Michelle Sheidenberger
City Attorney

APPROVED AS TO SUBSTANCE:




By: 
Mike Isom
Development Services Director

IN WITNESS WHEREOF, the City of Roseville, a municipal corporation, has authorized the execution of this First Amendment in duplicate by its City Manager and attested to by its City Clerk under the authority of Ordinance No. 6465, adopted by the Council of the City of Roseville on the 6th day of April, 2022.

CITY OF ROSEVILLE,
a municipal corporation

By: 
Dion Louthan
Assistant City Manager

SIERRA VISTA COMMUNITIES, LLC,
a California limited liability company

By: 
Name: 
Its: 

ATTEST:

By: 
Carmen Avalos
City Clerk

APPROVED AS TO FORM;

By: _____
Michelle Sheidenberger
City Attorney

APPROVED AS TO SUBSTANCE:

By: _____
Mike Isom
Development Services Director

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

.....
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Placer } ss.

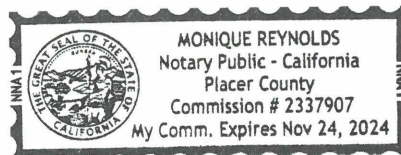
On March 4, 2022 before me, Monique Reynolds, Notary Public,
personally appeared Larry Gualco

who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she~~/~~they~~ executed the same in his/~~her~~/~~their~~ authorized capacity(~~ies~~), and that by his/~~her~~/~~their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Monique Reynolds
Signature
My Commission Expires Nov. 24, 2024



.....
OPTIONAL INFORMATION

Date of Document _____

Type or Title of Document _____

Number of Pages in Document _____

CALIFORNIA ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
 : ss.
COUNTY OF PLACER)

On May 11, 2022, before me, Helen Dreyer, Notary Public, personally appeared Dion Louthan, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of the which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Helen Dreyer*

Signature of Notary Public

SEAL

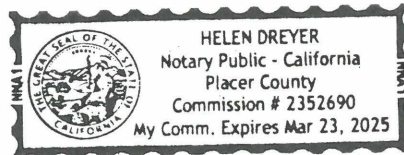


EXHIBIT "A"

DESCRIPTION OF SIERRA VISTA SPECIFIC PLAN KT-30 SITE

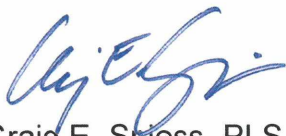
All that real property situated within the south one-half of Section 35, Township 11 North, Range 5 East, Mount Diablo Meridian, City of Roseville, County of Placer, State of California and further described as follows:

Being all of Lot 8 shown and so designated on that certain Final Map entitled "SIERRA VISTA – KT PROPERTIES PHASE 2 LARGE LOT SUBDIVISION – SUBDIVISION NUMBER PL15-0192" filed for record on October 01, 2020 in Book FF of Maps, at Page 18, Placer County Records and further described as follows:

Containing 7.51 acres of land, more or less.

See Exhibit "B", Plat to accompany description, attached hereto and made a part hereof.

This legal description was prepared by me or under my supervision pursuant to Section 8729 (2) of the Professional Land Surveyors Act.



Craig E. Spiess, PLS 7944
License Expiration Date: 12-31-21

Date: 08/24/2021



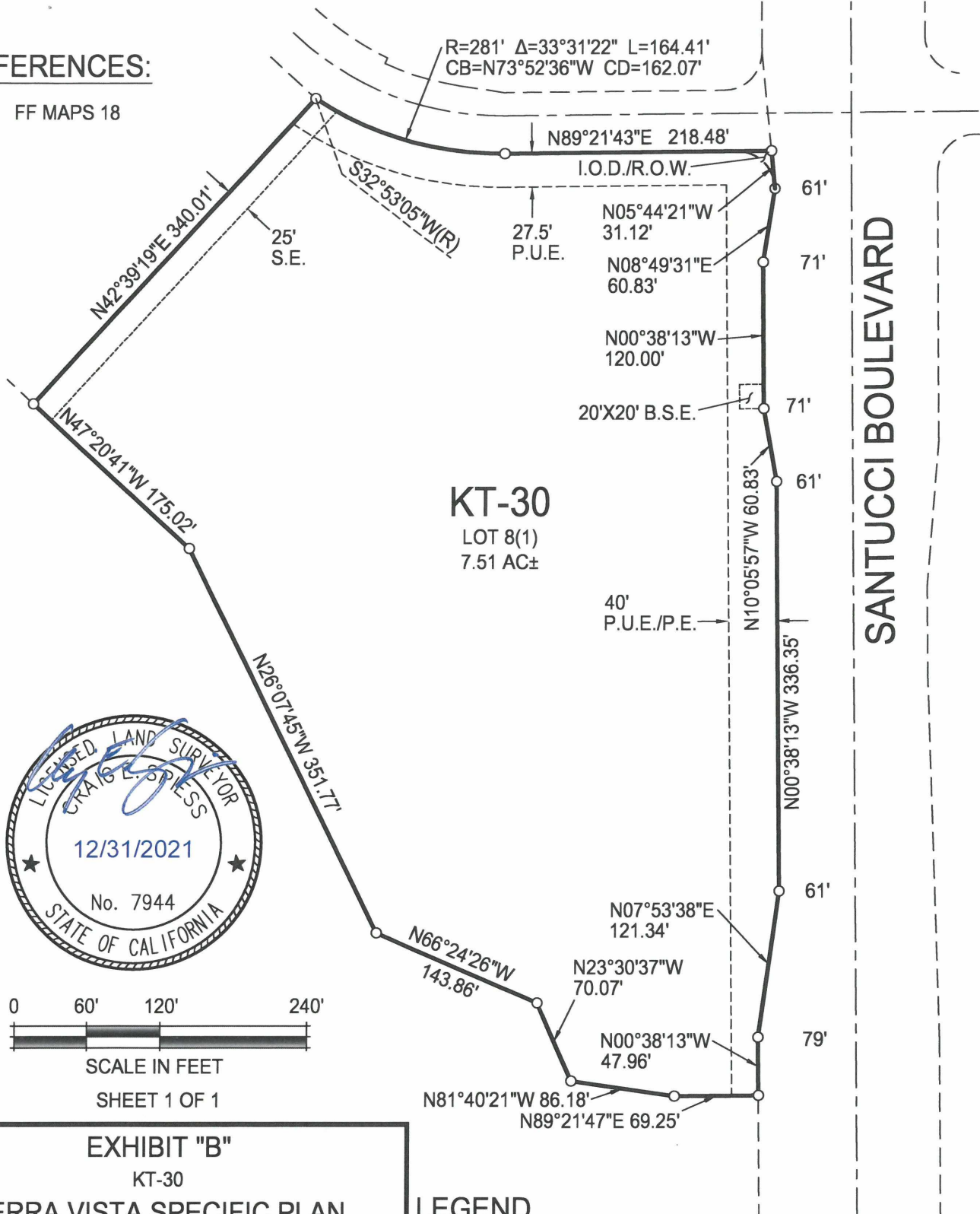
Description prepared by:
R.E.Y. ENGINEERS, INC.
905 Sutter Street, Suite 200, Folsom, CA 95630

S:\7310\020 - Sierra Vista\10 - CAD Drawings\Plats\KT-30\7310.024-SV P2-KT-30-PLAT.docx

REFERENCES:

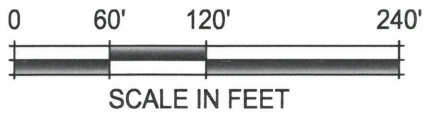
(1) FF MAPS 18

R=281' Δ=33°31'22" L=164.41'
CB=N73°52'36"W CD=162.07'



KT-30
LOT 8(1)
7.51 AC±

SANTUCCI BOULEVARD



SCALE IN FEET
SHEET 1 OF 1

EXHIBIT "B"
KT-30

SIERRA VISTA SPECIFIC PLAN
SOUTH 1/2 OF SECTION 35, T. 11 N. R. 5 E., M.D.M.
CITY OF ROSEVILLE
COUNTY OF PLACER STATE OF CALIFORNIA

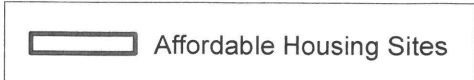
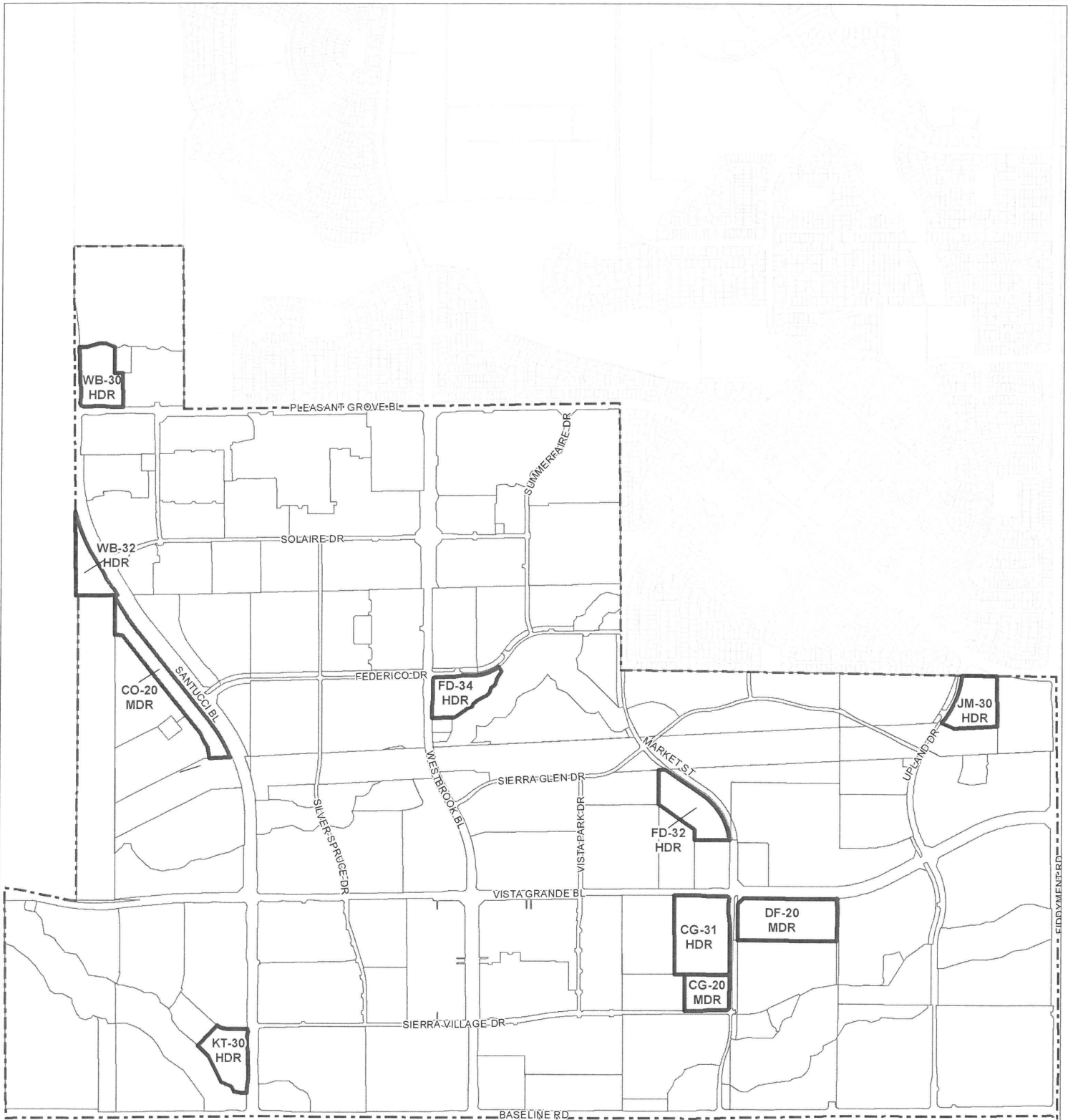
R. E. Y. ENGINEERS, Inc.
Civil Engineers / Land Surveyors
905 Sutter St. Ste 200 Folsom CA 95630
(916) 366-3040 Fax (916) 366-3303

CES	1"= 120'	08/24/2021	7310.024
DRAWN BY	SCALE	DATE	JOB NO.

LEGEND

- B.S.E. BUS SHELTER EASEMENT
- I.O.D./R.O.W. IRREVOCABLE OFFER OF DEDICATION RIGHT-OF-WAY
- P.E. PEDESTRIAN EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- S.S.E. SANITARY SEWER EASEMENT

IF A DISCREPANCY EXISTS BETWEEN THIS EXHIBIT AND THE ASSOCIATED DESCRIPTION, THE DESCRIPTION HOLDS. THIS EXHIBIT IS FOR GRAPHIC PURPOSES ONLY.



ORDINANCE NO. 6465

ADOPTING A FIRST AMENDMENT OF THE DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF ROSEVILLE AND SIERRA VISTA COMMUNITIES, LLC RELATIVE TO THE SIERRA VISTA SPECIFIC PLAN AND AUTHORIZING THE CITY MANAGER TO EXECUTE IT ON BEHALF OF THE CITY OF ROSEVILLE

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1. In accordance with Chapter 19.84 of Title 19 of the Roseville Municipal Code (the Zoning Ordinance) of the City of Roseville, the City Council has received the recommendation of the Planning Commission that the City of Roseville enter into a First Amendment of the Development Agreement by and between the City of Roseville and Sierra Vista Communities, LLC, pertaining to property located within the Sierra Vista Specific Plan area.

SECTION 2. The Council of the City of Roseville has reviewed the findings of the Planning Commission recommending approval of the First Amendment to Development Agreement, and makes the following findings:

1. The First Amendment to the Development Agreement is consistent with the objectives, policies, programs and land use designations of the City of Roseville General Plan and the Sierra Vista Specific Plan;
2. The First Amendment to the Development Agreement is consistent with the City of Roseville Zoning Ordinance;
3. The First Amendment to the Development Agreement is in conformance with the public health, safety and welfare;
4. The First Amendment to the Development Agreement will not adversely affect the orderly development of the property or the preservation of property values; and
5. The provisions of the First Amendment to the Development Agreement will provide sufficient benefit to the City to justify entering into said Amendment.

SECTION 3. The First Amendment to Development Agreement, by and between the City of Roseville and Sierra Vista Communities, LLC, a copy of which is on file in the City Clerk's Department and incorporated herein by reference, is hereby approved and the City Manager is authorized to execute it on behalf of the City of Roseville.

SECTION 4. The City Clerk is directed to record the executed Development Agreement Amendment within ten (10) days of the execution of the agreement by the City Manager with the County Recorder's Office of the County of Placer.

SECTION 5. This ordinance shall be effective at the expiration of thirty (30) days from the date of its adoption.

SECTION 6. The City Clerk is hereby directed to cause this ordinance to be published in full at least once within fourteen (14) days after it is adopted in a newspaper of general circulation in the City, or shall within fourteen (14) days after its adoption cause this ordinance to be posted in full in at least three (3) public places in the City and enter in the Ordinance Book a certificate stating the time and place of said publication byposting.

PASSED AND ADOPTED by the Council of the City of Roseville this 6th day of April, 2022, by the following vote on roll call:

AYES COUNCILMEMBERS: Houdesheldt, Alvord, Roccucci, Mendonsa, Bernasconi

NOES COUNCILMEMBERS: None

ABSENT COUNCILMEMBERS: None



MAYOR

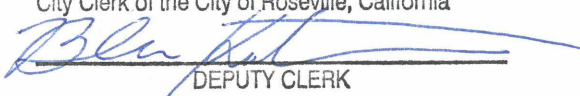
ATTEST:



City Clerk

The foregoing instrument is a correct copy of the original on file in the City Clerks Department.

ATTEST: _____
City Clerk of the City of Roseville, California



DEPUTY CLERK